

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TIFFANY BRINKLEY,

Plaintiff,

v.

MONTEREY FINANCIAL SERVICES,
LLC,

Defendant.

Case No.: 16-CV-1103-RSH-WVG

**ORDER DENYING DEFENDANT'S
MOTION TO SEAL AND
DIRECTING RE-FILING NOT
UNDER SEAL**

[ECF No. 196]

On April 7, 2022, Plaintiff filed a Motion To Seal Documents In Support Of Plaintiff's Motion For Class Certification. ECF No. 188. The motion sought to seal in their entirety Exhibits 1, 3, and 16 to the Declaration of Patrick N. Keegan in support of Plaintiff's motion for class certification. Plaintiff moved to seal Exhibit 16, which contained Jeffrey A. Hansen's expert report ("Hansen Report") because she had designated the report as "Highly Confidential," and the report described documents designated as "Confidential" or "Highly Confidential" by Defendant. *See* ECF No. 188 at 2-3. On July 12, 2022, the Court granted the motion to seal Exhibits 1 and 3 but denied the motion to seal Exhibit 16. ECF No. 203. The Court gave leave for Plaintiff to file

1 another motion to seal and file a redacted version of the Hansen Report within fourteen
2 days of its Order. *Id.* at 2.

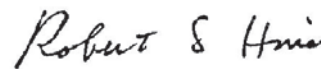
3 On July 18, 2022, Plaintiff filed a notice informing the Court that Defendant has
4 “no objection to the report being filed without redactions,” and Plaintiff no longer seeks
5 to seal the Hansen Report. ECF No. 205 at 2. Plaintiff further requested that the Court
6 publicly file Exhibit 16. *Id.* In light of these circumstances, the Court finds no
7 justification to shield the Hansen Report from public disclosure.

8 On May 11, 2022, Defendant filed a separate motion to seal its brief in support of
9 its motion to preclude portions of the Hansen Report. ECF No. 196. That motion seeks to
10 seal only those sections of Defendant’s brief that quote the Hansen Report for the sole
11 reason that Plaintiff had designated the Hansen Report as confidential and moved to file it
12 under seal. *Id.* at 2-3. Because Plaintiff no longer seeks to seal Exhibit 16, which will be
13 filed on the public docket, and Defendant has “no objection to the [Hansen R]eport being
14 filed without redactions,” ECF No. 205 at 2, the Court finds no good cause to seal
15 Defendant’s brief. *See Pintos v. Pac. Creditors Ass’n*, 605 F.3d 665, 678 (9th Cir. 2010)
16 (requiring a party to demonstrate “good cause” when it seeks to file documents under seal
17 in connection with a nondispositive motion).

18 WHEREFORE, the Court **DENIES** Defendant’s motion to seal, ECF No. 196.
19 Plaintiff shall file an unredacted version of Exhibit 16, ECF No. 187-19, and Defendant
20 shall file an unredacted version of its brief in support of its motion to preclude portions of
21 the Hansen Report, ECF No. 195-1, within five (5) days of the date of this Order.

22 **IT IS SO ORDERED.**

23 Dated: July 19, 2022



24 Hon. Robert S. Huie
25 United States District Judge
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